

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
THE CENTRAL VALLEY FLOOD PROTECTION BOARD

**RESOLUTION No. 09-01**

CACHE CREEK NORTH LEVEE SETBACK PROJECT  
CRITICAL EROSION SITES LM 3.9L and LM 4.2L

WHEREAS, on February 16, 1961 the Reclamation Board (predecessor to the Central Valley Flood Protection Board) accepted from the U.S. Army Corps of Engineers (Corps) the operation and maintenance of the flood control works along Cache Creek and the Cache Creek Settling Basin and Training Levees; and

WHEREAS, on December 16, 1988 the Central Valley Flood Protection Board (Board) and Corps entered into Local Cooperation Agreement for the Sacramento River Bank Protection Project (SRBPP), Separable Elements 38B, 40, and 42; and

WHEREAS, the Corps is the federal sponsor, the Board is the nonfederal sponsor of the SRBPP; and

WHEREAS, on February 24, 2006 Governor Schwarzenegger declared a state of emergency for California's levee system and on March 3, 2006 signed Executive Order S-01-06 that directed the California Department of Water Resources (DWR) to identify and repair critically eroded levee sites; and

WHEREAS, the Corps and DWR identified 33 levee sites in the summer of 2006 that were in critical condition; and

WHEREAS, on October 3, 2006 the Governor issued Executive Order S-18-06 to ensure that all necessary actions are taken to alleviate the emergency conditions posed by substantially degraded conditions; and

WHEREAS, DWR identified Cache Creek Levee Mile (LM) 3.9 left (L) and Cache Creek LM 4.2L as critical erosion sites on the north bank of Cache Creek, Yolo County for repair in response to the Governor's Executive Orders S-18-06; and

WHEREAS, DWR prepared an Initial Study (IS) and Proposed Mitigated Negative Declaration (MND) for the Cache Creek North Levee Setback Project, Critical Erosion Site LM 3.9L and LM 4.2L; and

WHEREAS, on October 20, 2008, the DWR issued a Notice of Completion and circulated a Notice of Intent to adopt a MND for the Cache Creek North Levee

Setback Project, Critical Erosion Site LM 3.9L and LM 4.2L as required by the California Environmental Quality Act Guidelines Section 15070; and

WHEREAS, the 30-day public comment period described in the aforementioned notices expired November 18, 2008; and

WHEREAS, Cache Creek North Levee Setback Project, Critical Erosion Site LM 3.9L and LM 4.2L will be constructed under the SRBPP; and

WHEREAS, the California Environmental Quality Act lead agency was changed from DWR to the Board, the authorized SRBPP nonfederal sponsor; and

WHEREAS, the Board has reviewed public and agency comments and prepared responses to those comments; and

WHEREAS, the Board has agreed to incorporate any mitigation measures as described in the MND that would reduce any potentially significant effects on resources to less than significant; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Central Valley Flood Protection Board, acting in its capacity as California Environmental Quality Act lead agency:

1. Adopts the Findings, Mitigation Measures, and Mitigated Negative Declaration, for the Cache Creek North Levee Setback Project, Critical Erosion Sites LM 3.9L and LM 4.2L.
2. Approves the Cache Creek North Levee Setback Project, Critical Erosion Site LM 3.9L and LM 4.2L.

DATED: \_\_\_\_\_

Central Valley Flood Protection  
Board of the State of California

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Benjamin F. Carter  
President

\_\_\_\_\_  
Maureen "Lady Bug" Doherty

Secretary

Approved as to Legal Form and Sufficiency

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Nancy Finch  
Senior Staff Counsel



## FINAL MITIGATED NEGATIVE DECLARATION

**PROJECT:** Cache Creek North Levee Setback Project - Critical Erosion Site Levee Mile (LM) 3.9 left (L) and LM 4.2L

**LEAD AGENCY:** Central Valley Flood Protection Board (CVFPB)

**PROJECT DESCRIPTION:** The CVFPB is proposing to construct two setback levees along the north bank of Cache Creek for critical erosion sites at LM 3.9L and LM 4.2L, Yolo County. These sites were added to the Sacramento River Bank Protection Project (SRBPP) erosion inventory in 2006, and encroachment by Cache Creek into the bank at these sites requires immediate remediation to prevent levee failure. The setback levee at LM 3.9L would be constructed approximately 215 feet north of the existing levee and would be approximately 1,250 feet in length. A ramp would be constructed to allow vehicle access to County Road 17a. The setback levee at LM 4.2L would be constructed approximately 90 feet north of the existing levee and would be approximately 670 feet in length. A retaining wall would be constructed adjacent to a small portion of levee setback LM 4.2L to protect an existing structure that would abut the levee setback. The existing levee would be notched in three locations to allow drainage of the levee setback area back into Cache Creek. To allow construction of setback levee LM 3.9L, an approximate 1,300-foot-long stretch of County Road 17a would be relocated north of the existing road and would be shortened to approximately 1,100 feet long.

**FINDINGS:** An Initial Study has been prepared to assess the proposed project's potential effects on the environment and the significance of those effects. Using the results of the Initial Study, CVFPB has determined that the proposed project would not have any significant effects on the environment once mitigation measures are implemented. This conclusion is supported by the following findings:

- ▶ The project would result in no impacts to public services, recreation, and population and housing.
  - ▶ The project would result in less-than-significant impacts to air quality, aesthetics, mineral resources, land use and agricultural resources, public utilities and service systems, and traffic and circulation.
  - ▶ Mitigation would be implemented to reduce potentially significant impacts to less-than-significant levels for biological resources (potential impacts on special-status species), cultural resources (potential discovery of previously unknown resources or human remains during construction), geology and soils (potential erosion), hazards and hazardous materials (potential spills of hazardous substances during construction), hydrology and water quality (potential erosion and spills of hazardous substances during construction), and noise (short-term construction-related noise).
  - ▶ Although there are no known cultural resources that might be disturbed, mitigation is included to address the potential for discovering archaeological and/or human remains during the construction phase of the project.
  - ▶ The project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, reduce the number or restrict the range of a special-status species, or eliminate important examples of California history or prehistory.
  - ▶ The project would not achieve short-term environmental goals to the disadvantage of long-term environmental goals.
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- ▶ The project would not have environmental effects that are individually limited but cumulatively considerable.
- ▶ The project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.
- ▶ No substantial evidence exists that the project would have a significant negative or adverse effect on the environment.
- ▶ The project incorporates all applicable mitigation measures, as listed below and described in the IS.
- ▶ This MND reflects the independent judgment of the lead agency, CVFPB.

**MITIGATION MEASURES:** The following mitigation measures will be implemented by CVFPB to avoid or minimize potential environmental impacts. Implementation of these mitigation measures would reduce the potential environmental impacts of the proposed project to a less-than-significant level.

- ▶ Mitigation Measure Bio-1: Maintain a 20-Foot Buffer Around Elderberry Shrubs.
  - ▶ Mitigation Measure Bio-2: Conduct Pre-Construction Surveys for Special-status Birds and Nesting Raptors.
  - ▶ Mitigation Measure Bio-3: Erect Brightly Colored Fencing Around Sensitive Riparian Habitat.
  - ▶ Mitigation Measure Cul-1: Immediately Halt Construction Activities if Any Cultural Materials Are Discovered.
  - ▶ Mitigation Measure Cul-2: Immediately Halt Construction Activities if Any Human Remains Are Discovered.
  - ▶ Mitigation Measure Haz-1: Ensure That All Employees Handling Hazardous Materials Are Trained In the Safe Handling and Storage of Hazardous Materials.
  - ▶ Mitigation Measure Hydro-1: Prepare a Storm Water Pollution Prevention Plan.
  - ▶ Mitigation Measure Noise-1: Maintain and Equip Construction Equipment with Noise Control Devices.
  - ▶ Mitigation Measure Noise-2: Limit Construction to the Hours of 7:00 a.m. to 6:00 p.m.
  - ▶ Mitigation Measure Noise-3: Arrange Construction Equipment Travel to Minimize Disturbance to Occupied Residences and Limit Idling Times.
  - ▶ Mitigation Measure Noise-4: Designate a Disturbance Coordinator to Receive All Public Complaints.
  - ▶ Mitigation Measure Noise-5: Pre- and Post- Construction Photographic Survey and Report of Any Structures That Are within 15 Feet of Heavy Equipment Operation and Compensation for any Construction-incurred Damage.
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In accordance with Section 21082.1 of the California Environmental Quality Act, CVFPB has independently reviewed and analyzed the initial study and final mitigated negative declaration for the proposed project and finds that the initial study and final mitigated negative declaration reflect the independent judgment of CVFPB. The lead agency further finds that the project mitigation measures will be implemented as stated in the final mitigated negative declaration.

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Jay Punia  
Executive Officer  
Central Valley Flood Control Board

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Date

Approved as to Legal Form and Sufficiency

\_\_\_\_\_  
Nancy Finch  
Senior Staff Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_



Final

Cache Creek North Levee Setback Project  
Critical Erosion Site LM 3.9L and LM 4.2L  
Initial Study/Proposed Mitigated Negative Declaration



Prepared for:

California Department of Water Resources  
2825 Watt Avenue, Suite 100  
Sacramento, CA 95821

Attn: Deborah Condon  
Chief, Environmental Support Section  
Department of Water Resources  
Division of Flood Management  
(916) 574-1426

Prepared by:

EDAW  
2022 J Street  
Sacramento, CA 95811

Contact:

Kristen Stoner  
Project Manager  
(916) 414-5800

October 20, 2008

EDAW | AECOM

**DATE:** October 20, 2008

**TO:** Responsible and Trustee Agencies, Interested Parties, and Organizations

**SUBJECT:** **NOTICE OF AVAILABILITY AND INTENT TO ADOPT AN INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE CACHE CREEK NORTH LEVEE SETBACK PROJECT – CRITICAL EROSION SITE LEVEE MILE (LM) 3.9L AND LM 4.2L**

The California Department of Water Resources (DWR) has directed the preparation of this Initial Study and intends to adopt a Proposed Mitigated Negative Declaration (MND) for the proposed project in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. DWR is the lead agency for the proposed project under CEQA.

**Project Location:** The proposed project would be located on the landside of the north bank levee at Levee Mile (LM) 3.9L and LM 4.2L on Cache Creek. The project site is located in Yolo County, southeast of the town of Yolo and north of the City of Woodland.

**Description of the Proposed Project:** DWR is proposing to construct 2 setback levees along the north bank of Cache Creek for critical erosion sites at LM 3.9L and LM 4.2L. In 2006, United States Army Corps of Engineers (USACE) identified 24 sites referred to as “2006 Critical Erosion Repairs” on the Sacramento River and its tributaries. Cache Creek LM 3.9L and 4.2L were listed on “2006 Critical Erosion Repairs” and encroachment by Cache Creek into the bank at these sites requires immediate remediation to prevent levee failure. The setback levee at LM 3.9L would be constructed approximately 215 feet north of the existing levee and would be approximately 1,259 feet in length. A ramp would be constructed to allow vehicle access to County Road 17a. The setback levee at LM 4.2L would be constructed approximately 90 feet north of the existing levee and would be approximately 670 feet in length. A retaining wall would be constructed adjacent to a small portion of levee setback LM 4.2L to protect an existing structure that would abut the levee setback. The existing levee would be notched in three locations to allow drainage of the levee setback area back into Cache Creek. To allow construction of setback levee LM 3.9L, an approximate 1,300-foot-long stretch of County Road 17a would be relocated north of the existing road and would be shortened to approximately 1,100 feet long.

DWR has directed the preparation of an IS/MND on the proposed project in accordance with the requirements of CEQA. An IS/MND describes the project and its potential impacts on the environment and concludes that any potentially significant impacts that may result from the proposed project can be avoided, eliminated, or reduced to a level that is less than significant, by the adoption and implementation of specified mitigation measures.

**Public Review Period:** The IS/MND is being circulated for public review and comment for a review period of 30 days starting October 20, 2008. Written comments should be submitted and received at the following address or via email no later than close of business (4:00 p.m.) on November 18, 2008:

Deborah Condon,  
Chief, Environmental Support Section  
Department of Water Resources  
Division of Flood Management  
2825 Watt Avenue, Suite 100  
Sacramento, CA 95821  
(916) 574-1426  
Email: dcondon@water.ca.gov

Copies of the IS/MND may be reviewed at the Yolo County Library, located at 226 Buckeye Street, Woodland, California, during normal business hours and on the DWR's website at: <http://www.water.ca.gov/levees/links>. Your views and comments on how the project may affect the environment are welcomed.

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## PROPOSED MITIGATED NEGATIVE DECLARATION

**PROJECT:** Cache Creek North Levee Setback Project - Critical Erosion Site Levee Mile (Lm 3.9L) and Lm 4.2L

**LEAD AGENCY:** California Department of Water Resources (DWR)

**AVAILABILITY OF DOCUMENTS:** The initial study and proposed mitigated negative declaration (IS/MND) is available for review at the Yolo County Library, located at 226 Buckeye Street, Woodland, California, and on the DWR's website at: <http://www.water.ca.gov/levees/links>.

**PROJECT DESCRIPTION:** DWR is proposing to construct 2 setback levees along the north bank of Cache Creek for critical erosion sites at LM 3.9L and LM 4.2L. In 2006, United States Army Corps of Engineers (USACE) identified 24 sites referred to as "2006 Critical Erosion Repairs" on the Sacramento River and its tributaries. Cache Creek LM 3.9L and 4.2L were listed on "2006 Critical Erosion Repairs" and encroachment by Cache Creek into the bank at these sites requires immediate remediation to prevent levee failure. The setback levee at LM 3.9L would be constructed approximately 215 feet north of the existing levee and would be approximately 1,259 feet in length. A ramp would be constructed to allow vehicle access to County Road 17a. The setback levee at LM 4.2L would be constructed approximately 90 feet north of the existing levee and would be approximately 670 feet in length. A retaining wall would be constructed adjacent to a small portion of levee setback LM 4.2L to protect an existing structure that would abut the levee setback. The existing levee would be notched in three locations to allow drainage of the levee setback area back into Cache Creek. To allow construction of setback levee LM 3.9L, an approximate 1,300-foot-long stretch of County Road 17a would be relocated north of the existing road and would be shortened to approximately 1,100 feet long..

**FINDINGS:** An IS has been prepared to assess the proposed project's potential effects on the environment and the significance of those effects. Using the results of the IS, DWR has determined that the proposed project would not have any significant effects on the environment once mitigation measures are implemented. This conclusion is supported by the following findings:

- ▶ The project would result in no impacts to public services, recreation, and population and housing.
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A copy of the IS/MND is attached. Questions or comments regarding this IS/MND may be addressed to:

Deborah Condon,  
 Chief, Environmental Support Section  
 Department of Water Resources  
 Division of Flood Management  
 2825 Watt Avenue, Suite 100  
 Sacramento, CA 95821  
 (916) 574-1426  
 Email: dcondon@water.ca.gov